IN THE HIGH COURT OF JUDICATURE OF BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 1202 OF 2006

Rajesh Ashok Chaudhar .. Petitioner

versus

Nana R. Bhalerao & ors. .. Respondents

...

Mr.M.R. Mahashabde for the petitioner.

Mr.N.P. Deshpande for the respondents.

CORAM : D.G. KARNIK, J

DATED : 28th February 2006.

P.C.:

1. Heard learned counsel for the parties.

2. Writ Petition is directed against an interlocutory order and hence, I am not inclined to entertain the Writ Petition.

3. Learned counsel for the petitioner submits that respondent plaintiff was required to produce the

original documents along with the plaint. Learned counsel for the petitioner admits that a copy of the document was produced but submits that the copy was not complete and correct copy. He is entitled to take up a defence to that effect in the written statement. It appears to me that this is an attempt to delay filing of the written statement and thereby delay the trial of the suit which has been filed in the year 1996.

4. Hence, the Writ Petition is rejected.

(D.G. KARNIK, J)